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OGC Has Reviewed

Assistant Director, ORE.

8 December 1948.

Assistant General Counsel.

Lutes Letter of 26 November.

25X1A

1. Reference is made to the letter from Lieutenant General LeRoy Lutes to [REDACTED] ORE, regarding proposed legislation on clandestine air transport. It is the feeling of the Office of the General Counsel that legislation, such as is proposed in General Lutes' letter, does not fall within the jurisdiction of CIA. Its formulation lies within matters of policy not within the purview of this Agency.

2. Inasmuch as we have rendered intelligence support to the Ad Hoc Committee, it might conceivably be necessary to give intelligence support to the presentation before the appropriate Congressional Committee in executive session. However, if this is needed, the information desired should be brought to the attention of this Office at the proper time for clearance with the Director's Office, if any such presentation is to be made.

3. This Office will follow Congressional and Committee action on any such proposed legislation after Congress convenes. In this connection, it might be advisable for you, or a member of your staff, to brief this Office on exactly what is envisaged and what laws it is proposed to amend, so that we shall know what to watch.

4. It is suggested that any reply that may be made to General Lutes' letter be of a general nature, pointing out that ours is not a primary interest in this matter, other than to render the Ad Hoc Committee such advisory assistance as has been given in the past.

Walter L. Pforzheimer
Assistant General Counsel

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